

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

No. 4:07-CR-00001-F-1

UNITED STATES OF AMERICA,	)	
	)	
v.	)	<u>ORDER</u>
	)	
CHINA THOMPSON,	)	
Defendant.	)	

This matter is before the court on China Thompson's Motion for Documents [DE-39]. In his motion, Thompson requests a free copy of the court's docket sheet and sentencing transcript.

Title 28, United States Code, Section 753(f) addresses the circumstances under which transcripts may be provided to an indigent defendant at the government's expense. The statute, in pertinent part, provides:

Fees for transcripts furnished in criminal proceedings to persons proceeding under the Criminal Justice Act (18 U.S.C. § 3006A), or in habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis, shall be paid by the United States out of moneys appropriated for those purposes. Fees for transcripts furnished in proceedings brought under § 2255 of this title to persons permitted to sue or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal.


28 U.S.C. § 753(f). An indigent defendant may be entitled to transcripts at the government's expense if he has stated a proper ground for relief and the transcripts are indispensable. *United States v. Glass*, 317 F.2d 200, 202-03 (4th Cir. 1963). An indigent defendant is not entitled to transcripts at the government's expense "merely to comb the record in the hope of discovering some flaw." *Id.* at 202.

Thompson has requested a copy of this court's docket sheet, and this request shall be

ALLOWED. The Clerk of Court is DIRECTED to mail Thompson a copy of the docket sheet. With respect to his request for the sentencing transcript, Thompson has failed to state a particularized need. Thus, Thompson's request for a free copy of the transcript from his sentencing hearing is DENIED. In light of the foregoing, Thompson's Motion for Documents [DE-39] is ALLOWED in part and DENIED in part.

SO ORDERED.

This, the 18<sup>th</sup> day of June, 2014.

  
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JAMES C. FOX  
Senior United States District Judge